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## NOTICE OF ALLOWANCE AND FEE(S) DUE

46726 7590 09/15/2011  
BSH HOME APPLIANCES CORPORATION  
INTELLECTUAL PROPERTY DEPARTMENT  
100 BOSCH BOULEVARD  
NEW BERN, NC 28562

EXAMINER

OSTERHOUT, BENJAMIN LEE

ART UNIT

PAPER NUMBER

1711

DATE MAILED: 09/15/2011

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/583,694

06/20/2006

Anton Oppel

2003P01958WOUS

3506

TITLE OF INVENTION: DISHWASHER WITH A DOOR SEAL

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	12/15/2011

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.**

**THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.**

### HOW TO REPLY TO THIS NOTICE:

#### I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

# **PART B - FEE(S) TRANSMITTAL**

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE  
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**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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**Note:** A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

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## **Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/583,694	06/20/2006	Anton Oppel	2003P01958WOUS	3506
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TITLE OF INVENTION: DISHWASHER WITH A DOOR SEAL

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nonprovisional	NO	\$1510	\$300	\$0	\$1810	12/15/2011
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EXAMINER	ART UNIT	CLASS-SUBCLASS
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OSTERHOUT, BENJAMIN LEE	1711	134-05600D
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1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 \_\_\_\_\_
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 \_\_\_\_\_
- 3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_

Typed or printed name \_\_\_\_\_ Registration No. \_\_\_\_\_

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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DATE MAILED: 09/15/2011

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 876 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 876 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

## Privacy Act Statement

**The Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

**Notice of Allowability**

Application No.

10/583,694

Examiner

BENJAMIN OSTERHOUT

Applicant(s)

OPPEL ET AL.

Art Unit

1711

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Notice of Appeal filed 26 July 2011.
2. ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on \_\_\_\_; the restriction requirement and election have been incorporated into this action.
3. ☒ The allowed claim(s) is/are 11-15,17,20,21 and 23-34.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_.

Applicant has **THREE MONTHS FROM THE "MAILING DATE"** of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☒ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
- (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                     |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date ____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date ____     | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|  | 9. <input type="checkbox"/> Other ____.   |

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the dishwasher with seal connected thereto must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### **EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this Examiner's amendment with regards to the claims was given in a telephone interview with Applicant's Representative Attorney Stuart Smith, Reg. #42,159, on 2 September 2011.

The application has been amended as follows:

#### **Amend Page 1 of the Specification as follows:**

The present invention relates to a dishwasher with a door seal.

When closed, a conventional dishwasher has a substantially rectangular washing container, one side of which can be opened and closed by means of a pivotable door. The four peripheral side areas must, when the dishwasher is closed, exhibit during the entire lifetime of the dishwasher a uniform sealing performance both with regard to spray water and also with regard to a certain excess pressure.

Whereas the two vertical side areas and the horizontal upper side can be sealed by means of so-called sealing beading, which is disposed in corresponding joints in the washing container or the housing, the sealing of the underside located in the proximity of the horizontally disposed pivot axis conceals numerous

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problems, for example, as a result of the substantially 90-degree pivot angle, a relative movement takes place between the underside of the door (door apron) and the upper edge of the washing container (container lip). Furthermore, it is desirable to make assembly easy but dismantling should be more difficult. It is also desirable to take into account the aesthetic demands of the user, especially in high-quality consumer goods.

It is thus the object of the present invention to provide a dishwasher with a seal between the door apron and the container lip, enabling a high sealing performance to be obtained during the entire service life of the dishwasher and providing an aesthetic appearance while the seal can be mounted reliably without any considerable expenditure of force, recycling is possible as a result of the choice of material and said seal can withstand the dynamic strains of a door seal for a dishwasher.

This object is achieved by the dishwasher according to the invention having a door seal with the features according to ~~claim 1~~ the independent claims.

Advantageous further developments of the invention are characterised in the dependent claims ~~2 to 10~~.

**Amend the claims to read as follows:**

1-10. (Cancelled)

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11. (Currently Amended) A dishwasher comprising:

a door;

a container for retaining therein items to be washed, the container having an open side that is selectibly closable via pivoting of the door between a closed disposition and an open disposition; and

a door seal having a fixing area, a sealing element, an ~~flexible~~ elastic sealing strip, and an ~~flexible~~ elastic sealing lip, the fixing area being connected to the sealing element by the sealing strip,

wherein the sealing strip is more ~~flexible~~ elastic than the fixing area and the sealing element, and

the sealing lip is more ~~flexible~~ elastic than the fixing area and the sealing element, is attached to the sealing element, and presses against the door to create a seal with the door.

12. (Previously Presented) The dishwasher according to claim 21, wherein the door seal is made of an elastic material, the fixing area is adapted for connection to an edge of the washing container and has a sealing function with respect to the washing container, and the sealing element is adapted for mounting on an underside of the dishwasher door.

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13. (Previously Presented) The dishwasher according to claim 21, wherein the fixing area, the sealing element and the sealing strip are constructed in one piece.

14. (Previously Presented) The dishwasher according to claim 21, wherein the fixing area contributes to the sealing effect on an edge of the washing container.

15. (Previously Presented) The dishwasher according to claim 21, wherein the fixing area is a U-shaped section.

16. (Cancelled).

17. (Previously Presented) The dishwasher according to claim 21, wherein the sealing strip is constructed free of any reinforcing means made of different material.

18-19. (Cancelled).

20. (Previously Presented) The dishwasher according to claim 21, further comprising reinforcing ribs arranged on the inside of the hollow tubular main body of the sealing element.

21. (Currently Amended) A dishwasher, comprising:

a door having an inner surface;

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a container for retaining therein items to be washed, the container having an open side that is selectibly closable via pivoting of the door between a closed position and an open position; and

a door seal having

a fixing area,

a sealing element having a hollow tubular main body,

~~an flexible~~ elastic sealing strip, the sealing strip connecting the fixing area

to

the sealing element, and

~~an flexible~~ elastic sealing lip connected to and extending from the sealing element,

wherein the fixing area is fixed to the container to create a seal with the container, the fixing area being stationary relative to the container when the door is pivoted between the closed position and the open position,

the sealing element is attached to the door, and

the sealing lip is pressed against the inner surface of the door to create a seal with the door.

22. (Cancelled)

23. (Previously Presented) The dishwasher according to claim 15, further comprising retaining elements protruding from the inside of the U-shaped section of the fixing area.

24. (Previously Presented) The dishwasher according to claim 21, wherein the hollow tubular main body of the sealing element is rectilinear in cross section.

25. (Previously Presented) The dishwasher according to claim 24, further comprising recesses with corresponding ribs arranged on the outside of the hollow tubular main body of the sealing element to increase the rigidity of the sealing element in its longitudinal direction.

26. (Previously Presented) The dishwasher according to claim 21, wherein a cross section of the sealing strip has a first portion adjacent to where the sealing strip connects to the fixing area, a second portion adjacent to where the sealing strip connects to the sealing element, and a third portion that connects the first portion to the second portion,

the first portion has a first thickness, the second portion has a second thickness, and

the third portion has a third thickness, and the third thickness is greater than the first thickness and is greater than the second thickness.

27. (Previously Presented) The dishwasher according to claim 21, wherein ends of the hollow tubular main body of the sealing element are adapted to receive pins protruding from the door.

28. (New) The dishwasher according to claim 11, wherein the door seal is made of an elastic material, the fixing area is connected to an edge of the washing container and has a sealing function with respect to the washing container, and the sealing element is mounted on an underside of the dishwasher door.

29. (New) The dishwasher according to claim 28, wherein a cross section of the sealing strip has a first portion adjacent to where the sealing strip connects to the fixing area, a second portion adjacent to where the sealing strip connects to the sealing element, and a third portion that connects the first portion to the second portion,

the first portion has a first thickness, the second portion has a second thickness, and the third portion has a third thickness, and

the third thickness is greater than the first thickness and is greater than the second thickness.

30. (New) The dishwasher according to claim 11, wherein the fixing area, the sealing element and the sealing strip are constructed in one piece.

31. (New) The dishwasher according to claim 11, wherein the fixing area contributes to the sealing effect on an edge of the washing container.

32. (New) The dishwasher according to claim 11, wherein the fixing area is a U-shaped section.

33. (New) The dishwasher according to claim 11, wherein the sealing strip is constructed free of any reinforcing means made of different material.

34. (New) The dishwasher according to claim 11, wherein a cross section of the sealing strip has a first portion adjacent to where the sealing strip connects to the fixing area, a second portion adjacent to where the sealing strip connects to the sealing element, and a third portion that connects the first portion to the second portion,

the first portion has a first thickness, the second portion has a second thickness, and the third portion has a third thickness, and

the third thickness is greater than the first thickness and is greater than the second thickness.

### ***Reasons for Allowance***

3. The following is an examiner's statement of reasons for allowance: The prior art fails to disclose or make obvious the independent claims 11 and 21 which claim a dishwasher with a door seal having a fixing area, a sealing element, an elastic sealing strip, and an elastic sealing lip, the fixing area being connected to the sealing element by the sealing strip.

The closest prior art of record is that of U.S. Patent Application Publication No. 20050257816 to Kim. Kim teaches a dishwasher with a door and inner container, as is standard in the art. Also taught is a fixing area, a bracket for mounting the seal, an upper part of the bracket, a lower part of the bracket, wherein the sealing element contacts the door and is made of a flexible material, the bracket being made of a hard synthetic resin that has not been shown to be elastic. Kim does not disclose a fixing area being stationary relative to the container when the door is pivoted or that the mounting component is made of an elastic material.

The contribution of the current invention over that of the prior art is realized by one of ordinary skill in the art, the current invention: 1) the sealing strip and sealing lip offer a double seal over the entire length of the base of the dishwasher; 2) the elastic design of the seal allows for the seal to be rolled up and down as the dishwasher door is opened and closed thereby preventing binding of the seal throughout the course of use;

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3) due to the door seal having a one-piece design incorporating the fixing area, elastic sealing element, and elastic sealing lip, the door seal may be more easily produced (as it is one-piece) and more easily replaced as lubricants or brute force are not required as the seal is a one-piece component; and 4) because the seal abuts the door as an apron like cover, a piece of cutlery (such as a knife or fork) is less likely to fall between the dishwasher tub and door, thereby protecting a user from injury.

Since independent claims 11 and 21 are allowed, dependent claims 12-15, 17, 20, and 23-34 are also allowed.

### ***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to BENJAMIN OSTERHOUT whose telephone number is (571)270-7379. The examiner can normally be reached on Monday-Thursday 8:30am-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mike Barr can be reached on (571)272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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